

# HOUSE BILL REPORT

## ESHB 2586

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### As Amended by the Senate

**Title:** An act relating to phasing-in statewide implementation of the Washington kindergarten inventory of developing skills.

**Brief Description:** Phasing-in statewide implementation of the Washington kindergarten inventory of developing skills.

**Sponsors:** House Committee on Ways & Means (originally sponsored by Representatives Kagi, Maxwell, Ladenburg, Dammeier, Kenney and Tharinger; by request of Department of Early Learning and Superintendent of Public Instruction).

#### **Brief History:**

##### **Committee Activity:**

Education: 1/23/12, 1/31/12 [DP];

Ways & Means: 2/6/12 [DPS].

##### **Floor Activity:**

Passed House: 2/11/12, 84-11.

Senate Amended.

Passed Senate: 3/2/12, 43-5.

#### **Brief Summary of Engrossed Substitute Bill**

- Changes the implementation schedule for administration of the Washington Kindergarten Inventory of Developing Skills (WaKids).
- Provides that time spent meeting with students and families or otherwise administering WaKids may be considered instructional hours, and up to three days may be considered school days.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** Do pass. Signed by 19 members: Representatives Santos, Chair; Lytton, Vice Chair; Dammeier, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Dahlquist, Assistant Ranking Minority Member; Ahern, Angel, Billig, Fagan, Finn, Haigh, Hunt, Ladenburg, Lias, Maxwell, McCoy, Parker, Probst and Wilcox.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Minority Report:** Do not pass. Signed by 2 members: Representatives Hargrove and Klippert.

**Staff:** Cece Clynch (786-7195).

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## HOUSE COMMITTEE ON WAYS & MEANS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 27 members: Representatives Hunter, Chair; Darneille, Vice Chair; Hasegawa, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Carlyle, Chandler, Cody, Dickerson, Haigh, Haler, Hinkle, Hudgins, Hunt, Kagi, Kenney, Ormsby, Parker, Pettigrew, Ross, Schmick, Seaquist, Springer, Sullivan and Wilcox.

**Staff:** Jessica Harrell (786-7349).

### **Background:**

In 2009 the Legislature provided \$100,000 over the biennium, contingent on an equal match from private sources, for the Department of Early Learning (DEL) to work with the Office of the Superintendent of Public Instruction (OSPI) and others to identify and test a kindergarten assessment process and tools in geographically diverse school districts. During the fall of 2010, the OSPI piloted the Washington Kindergarten Inventory of Developing Skills (WaKIDS) with 2,600 incoming kindergarteners in 115 classrooms around the state. The purpose of the WaKIDS is to gather information about the child in order to better inform teacher instruction.

State-supported all-day kindergarten is in the process of being phased in across the state, beginning with schools with the highest poverty levels. Schools receiving funding for all-day kindergarten must agree to various program requirements, including providing at least 1,000 hours of instruction, providing a rich curriculum, and having connections with community early learning programs and parents.

Beginning with the 2011-12 school year, on a voluntary basis and to the extent funds are available, schools receiving all-day kindergarten state support must identify the skills, knowledge, and characteristics of kindergarten students at the beginning of the school year in order to support social-emotional, physical, and cognitive growth and development of individual children; support early learning provider and parent involvement; and inform instruction. Kindergarten teachers must administer the WaKIDS, as directed by the Superintendent of Public Instruction (SPI) in consultation with the DEL, and report the results to the SPI, who will share the results with the Director of the DEL.

Beginning in the 2012-13 school year, to the extent funds are available, the WaKIDS must be administered to all students enrolled in state-funded all-day kindergarten programs. Parents and guardians may excuse their students from participating in the WaKIDS.

Until full-implementation of state-funded all-day kindergarten, the SPI, in consultation with the Director of DEL, may grant annually renewable waivers in order to allow the administration of kindergarten assessments other than the WaKIDS. An application for such a waiver must include specified components:

- a description of the assessment and transition processes that it proposes to administer;
- an explanation as to why administering the WaKIDS would be unduly burdensome; and
- an explanation of how the alternative assessment will support social-emotional, physical, and cognitive growth and development of individual children, support early learning provider and parent involvement, and inform instruction.

Before implementing the WaKIDS, the SPI and the Director of the DEL were required to ensure that a fairness and bias review of the assessment process has been conducted, including an opportunity for input from the Achievement Gap Oversight and Accountability Committee and an additional diverse group of stakeholders. A report on this review process was issued in July of 2011.

### **Summary of Engrossed Substitute Bill:**

To the extent funds are available, the implementation schedule for the WaKIDS is as follows:

- Beginning in the 2012-13 school year, the WaKIDS must be administered to all students in state-funded all-day kindergarten.
- Beginning in the 2012-13 school year, according to a phase-in schedule developed by the SPI, school districts must administer the WaKids to all kindergarten students. This requirement applies to all public school kindergarten programs and not just to state-funded all-day kindergarten programs. The SPI must consult with the DEL in developing the phase-in schedule. Parents and guardians may still excuse their students from participating in the WaKIDS.
- In the 2014-15 school year and thereafter, the WaKIDS must be administered to all students enrolled in kindergarten programs in the public schools, except those excused by their parents or guardians.

Until full statewide implementation of the WaKIDS, the SPI, in consultation with the Director of the DEL, may grant annually renewable waivers in order to allow the administration of kindergarten assessments other than the WaKIDS.

Time spent by certificated staff meeting with students and families as part of the WaKids may be considered instructional hours for purposes of complying with instructional hour requirements. Up to three school days so used may be considered school days for purposes of complying with requirements specifying the number of school days.

To the extent funds are available, and on a schedule determined by the OSPI and the DEL, additional support in the form of implementation grants shall be offered.

### **EFFECT OF SENATE AMENDMENT(S):**

#### The Senate amendment:

- adds language of legislative intent that:

- administration of WaKids replace administration of other assessments being required by school districts; or
- other assessments only be administered if they seek to obtain information not covered by WaKids;
- creates a work group convened by the OSPI, in consultation with the DEL, to provide recommendations with respect to: implementation of WaKids; the optimum way to administer WaKids to children in half-day kindergarten; and, replacing assessments currently used by districts with WaKids; provides for the persons and entities to be represented on the work group, and tasks the work group with submitting a preliminary report to the Legislature by December 1, 2012, and annually thereafter. The work group terminates upon full statewide implementation of WaKids;
- retains the 2012-13 implementation schedule for all students in state-funded all-day kindergarten, which is still contingent on the availability of funds;
- replaces language that would have *required* administration of WaKids to students in addition to those in state-funded all-day kindergarten according to a schedule developed by the OSPI and the DEL beginning in 2012-13 and to all kindergarten students beginning in 2014-15, with a provision that permits, to the extent funds are available, the OSPI to *offer* additional support in the form of implementation grants to schools on a schedule to be determined by the OSPI and the DEL;
- retains language that permits the OSPI to grant annually renewable waivers in order to allow the administration of kindergarten assessments other than WaKids until such time as full statewide implementation of WaKids; and
- removes language that specifically provided that time spent by certificated staff meeting with students and families as part of WaKids may be considered "instructional hours" and that up to three school days used by staff to meet with students and families or otherwise administer WaKids may be considered "school days."

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.

**Staff Summary of Public Testimony (Education):**

(In support) There are 70,000 students coming into kindergarten every year. Administration of the inventory to about 1,700 kindergarten students so far, has shown that large percentages of the incoming kindergartners have skills that are below level in one measure or another. This is not a test. Rather, it is an inventory of the skills these kindergartners have. It provides an opportunity for their teachers to know their skills, see where they need help, and provide that help. It also assists in establishing a partnership with the parents and providing tools to parents so that they can understand their child's needs and help their child. The Race To The Top (RTTP) grant money provides an incredible opportunity for this state to speed up the implementation schedule. With this money, the state can move from administering the assessment to 11,000 kindergartners to administering it to 70,000 kindergartners. In awarding the grant, the federal government acknowledged the innovative nature of the

WaKIDS, and particularly its focus on establishing a partnership with families. Because the Early Childhood Education and Assistance Program has selected the same tool, known as Teaching Strategies Gold tool, this will allow the state to track overtime. The fairness and bias review provided much concrete and useful feedback. If the RTTP grant money cannot be used for the WaKIDS, there would be a need to renegotiate with the federal government. The WaKIDS should be seen as part of kindergarten, not in addition to kindergarten. The University of Washington did produce a report on the WaKIDS and this, as well as a teacher survey, will be provided. Superintendent Dorn supports the WaKIDS as it will provide comprehensive knowledge about students early in the year and provide a good statewide measure. It must be implemented thoughtfully and funded adequately. The grant funds will pay for training. There may be a need for additional funds before full implementation.

(With concerns) A number of concerns were expressed by a group of teachers at Beacon Hill Elementary who had experienced administering the WaKIDS. They expressed concerns about: inadequate training; software problems; difficulty in trying to observe multiple students at a time in the natural environment of the classroom; and taking away quite a bit of the teaching time during the first five weeks of school. It is critical to talk to the teachers before speeding up the implementation schedule.

(Opposed) None.

#### **Staff Summary of Public Testimony (Ways & Means):**

(In support) This legislation enables teachers to accurately assess kindergarten students' skill levels, ensuring that teachers can provide each student with any help they might need to bring them up to an age appropriate skill level. The total estimated cost cannot be determined at this time due to uncertainties in the schedule to phase in the program. Identified grant funds related to the federal Race to the Top program are available for the implementation of the teacher training portion of this legislation.

The Washington Kindergarten Inventory of Developing Skills (WaKIDS) is the result of a collaboration between the Department of Early Learning (DEL) and the Office of Superintendent of Public Instruction (OSPI). It is a very important program for supporting kids moving out of early education and into K-12 education. The program helps to make sure each child starts on the right track from the start of their K-12 education so that they are not playing catch-up mid-year. The parent engagement aspect of the program is key to long-term engagement which, in turn, decreases future per pupil costs.

(With concerns) The goals of WaKIDS is laudable. However, kindergarten teachers have expressed concern regarding training, workload, and interruptions to class. The Washington Education Association is willing to work with the OSPI, the DEL, and others, but believes it is important that implementation only occurs if teachers are able to continue to teach effectively.

(Opposed) None.

**Persons Testifying (Education):** (In support) Representative Kagi, prime sponsor; Ramona Hattendorf, Washington State Parent Teacher Association; Amy Blondin, Department of Early Learning; and Bob Butts, Office of the Superintendent of Public Instruction.

(With concerns) Wendy Rader-Konofalski, Washington Educators Association.

**Persons Testifying (Ways & Means):** (In support) Representative Kagi, prime sponsor; Shawn Lewis, Office of Superintendent of Public Instruction; Amy Blondin, Department of Early Learning; Melanie Smith, United Ways of Washington; and Ramona Hattendorf, Washington State Parent Teacher Association.

(With concerns) Wendy Rader-Konofalski, Washington Education Association.

**Persons Signed In To Testify But Not Testifying (Education):** None.

**Persons Signed In To Testify But Not Testifying (Ways & Means):** None.